

Meeting #40 - November 6

The Madison County Planning Commission and the Madison County Board of Supervisors held a joint meeting on November 6, 2019 at 7:00 p.m. in the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: R. Clay Jackson, Chair
 Amber Foster, Vice-Chair
 Jonathon Weakley, Member
 Kevin McGhee, Member
 Charlotte Hoffman, Member
 Jack Hobbs, County Administrator
 Sean Gregg, County Attorney
 Ligon Webb, County Planner

(Following the Planning Commission Session)

1. Call to Order, Determine Presence of a Quorum, Pledge of Allegiance & Adoption of Agenda

Supervisor Foster moved that the Agenda be amended as presented, seconded by Supervisor Weakley. **Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).**

2. Public Comment

3. Public Hearings

a. Case No. S-11-19-16: Request by Deborah R. Young for a subdivision plat to create one (1) lot with residue. The existing (parent) parcel is roughly 71.96 acres and is zoned C1 (Conservation). The newly created parcel would be 15 acres. In the C1 zoning district, the minimum lot area is 10 (ten) acres. The subject 71.96-acre parcel is located on Aylor Road (Rt. 651) and is identified on Madison County's Tax Maps as 30-26. The request has been approved by VDOT, the Madison Health Department, and meets all requirements as noted in the County's Subdivision Ordinance.

Supervisor Hoffman moved that Case No. S-11-19-16 be approved as recommended by the Planning Commission, seconded by Supervisor McGhee. **Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).**

b. Case No. S-11-19-17: Request by Watson & Lydia Morgan for a subdivision plat to create one (1) lot with residue. The existing (parent) parcel is roughly 21.79 acres and is zoned C1 (Conservation). The newly created parcels would be 10 (ten) acres. In the C1 zoning district, the minimum lot area is 10 (ten) acres. The subject 21.790-acre parcel is located on Hollowback Lane (Rt. 690) and is identified on Madison County's Tax Maps as 37-7H. The request has been approved by VDOT. There is a fifteen-foot (15') right-of-way already in place that does travel back to the west of the property.

Supervisor McGhee moved that Case No. S-11-19-17 be approved as recommended by the Planning Commission, seconded by Supervisor Foster. **Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).**

Dave Lewis, Surveyor, was present on behalf of the applicant to answer any questions pertaining to tonight's request, and advised that the use of the right-of-way isn't being increased, but there will be a split of parcel H; he also noted

that there is more than enough frontage space for parcels; today's request will call for a cutting off of a section that can't be used (i.e. property owners must enter off the state highway).

c. Case No. SU-11-19-19: Request by Lori A. Foster for an indefinite special use permit to convert an existing single-family dwelling into a two-family dwelling (duplex). The subject property is zoned A1 (General Agriculture) and in this district a two-family dwelling is allowable by special use permit. The site is roughly 1.68 acres in area and contains a dwelling. The property's address is 1601 Seminole Trail, and is identified on Madison County's Tax Maps as 40-102. The proposal has been received approval from the Madison Health Department. The building does have two (2) separate points of access in place.

- Supervisor McGhee: Expressed appreciation to the applicant for trying to provide affordable housing for the teachers, and for being sensitive to the neighbor's concerns.

Supervisor Foster moved that the Board approve Case No. SU-11-19-19 as recommended by the Planning Commission, seconded by Supervisor Hoffman.

Supervisor Weakley: Questioned if all information for E911 addresses is in order for the proposed duplex and identifiable.

Ms. Foster questioned the process as to how the units should be identified.

After discussion, it was noted that efforts will be initiated with Brian Gordon, Director of Emergency Communications, to ensure that all address information is appropriate for E911 purposes.

Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).

d. Case No. SU-11-19-20: Request by Frederick R. Hoffman for an indefinite special use permit to develop and airstrip. The subject property is zoned C1 (Conservation) and in this district an Airport or Helicopter is allowable by special use permit. The site is roughly 50 acres and contains a dwelling. The property's address is 3444 Ruth Road, and is identified on Madison County's Tax Maps as 38-40B. The propose airstrip is 730 feet; the applicant is a very experienced pilot. The request is for personal use only and the applicant must adhere and follow all state guidelines that pertain to an airport/airstrip uses.

- Bill Price, thanked Supervisor Weakley for his years of service to the county, and also congratulated Supervisor Charlotte Hoffman for her reappointment and incoming Supervisor Carlton (Carty) Yowell on his new assignment. In closing, he thanked the Board members for 'taking on a job that most of us would run from.'

Supervisor Weakley moved that the Board approve Case No. SU-11-19-20 as recommended by the Planning Commission, seconded by Supervisor Hoffman. **Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).**

e. Case No. SU-11-19-21: Request by Thomas & Nance Mazzola for an indefinite special use permit to operate a bed and breakfast. In the A1 zoning district, a bed and breakfast are allowable by special use permit. In October of 2017, the Mazzola's were approved to operate a bed and breakfast from the subject property; this

approval contained four (4) conditions. A condition of the October 2017 special use permit stated "issued as a two (2) year permit." The applicants are requesting this condition be removed, and all other conditions would remain. The property's address is 833 Tinsley Road, and is identified on Madison County's Tax Maps as 58-8B. This property is an ideal location for a special use, had plenty of parking and is remote.

- Supervisor Weakley: Referred to the fact that many residents along Tinsley Drive did show up when this case was originally placed on the Commission docket.
- Supervisor McGhee: Referred to the fact that some conditions (initiated by the County) can be helpful to some property owners when necessary.
- Chairman Jackson: Referred to the fact that 'intent' trumps some actuality on certain things; he noted that the applicant will not hold weddings or musical festivals, but host a bed and breakfast venue; also noted that the Board is voting on the application and that any type of changes will have to be presented by the applicant and advertised for the public.

The County Attorney referred to the fact that if the SUP is only for the operation of a bed and breakfast, the County could change the SUP to say "no commercial activities other than a commercial bed and breakfast; he also noted that the applicants are protected as there is a recording of all official actions being discussed and considered at tonight's meeting session.

Supervisor Hoffman moved that the Board approve Case No. SU-11-19-21 as recommended by the Planning Commission, seconded by Supervisor McGhee. **Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).**

4. Discussion: Planning Commission appointments, terms and membership: Ligon Webb, County Planner, addressed the Board of Supervisors regarding suggestion to consider reducing the Planning Commission membership from nine (9) to seven (7). After discussion, it was recommended that the Board table any further action on this matter until a future meeting.

- Faye Utz, Commission member, verbalized support to keep the Commission at its current size, which provides for more insight, ideas and better review of issues that affect the County.
 - Nan Coppedge, Commission member, verbalized concerns about her term (correction noted).
 - Charles Michael Fisher, Commission member, noted his desire to see people participate in committees that pertain to Madison.
 - Mike Mosko, Commission member, verbalized support to keep the Commission at its current size.
 - Pete Elliott, Commission member, verbalized support to keep the Commission at its current size.
 - Stephen Carpenter, Commission member, verbalized the need to provide a variety of opinions on matters; verbalized favor of the current Commission size.
- Supervisor Foster: Feels that all points presented by the Commission members are valid; the Commission does the research; feels that a smaller group may not be more beneficial.

- *Supervisor McGhee: Feels that a larger Commission membership will provide more ideas; the County can't be certain of what type of changes will be brought forth in the near future; suggested the recommendation to reduce the size be revisited in a couple of years.*
- *Supervisor Hoffman: Noted that Madison has one of the largest planning commissions in place; feels that if the Commission members want to retain the existing size, then the recommendation to reduce the membership can be revisited in a few years.*
- *Supervisor Weakley: Agreed with all prior comments; also noted that the Commission operates as a strong team; sub-committees do extensive research which greatly helps the Board; accolades to the members that provided their ideas; feels that great value is being demonstrated and provided from the existing Commission members.*
- *Chairman Jackson: Provided accolades to the Commission for their efforts and also to the County Planner.*

The County Administrator advised that the Board will need to decide who will be appointed/reappointed, or if advertisements need to be published. This item will be discussed at the next meeting session.

The County Planner also suggested that the next appointments be realigned with the Board's appointments (i.e. staggered 4/3, 4/4, 4/5, 4/6, etc.) in order to refrain from losing a large group of members at the same time.

5. Information/Correspondence

Opioid Lawsuit: The County Attorney advised that outside council has recommended that the County opt out of the Class Action Suit (pending in the northern district of Ohio) in regards to the opioid lawsuit. A resolution will be provided for review and consideration at the next meeting session.

School CIP Committee: Chairman Jackson advised that the CIP meeting was held today; the school is going through pre-qualification of contractors and have developed a hazardous waste management plan; school system has 99% of the constructions documents compiled and will bid out electrical and plumbing shortly; school system is developing a policy to enable the school to purchase directly from distributors through the contractor to eliminate sales tax that will be refunded to us as a credit on the contract. It's anticipated that documents should be ready by mid-December; a consultant has been hired as the Clerk of the Works - they will request the remainder of a budgetary appropriation from their CIP fund. The County Administrator advised that the school system would like to receive bids on the MPS project shortly; the County will need to align financing mechanisms.

6. Public Comment

7. Closed Session (if necessary)

Closed Session [(2.2-3711(A)(29), (A)(8), (A)(1)]

On motion of Supervisor Foster, seconded by Supervisor Hoffman, the Board convened in a closed session pursuant to Virginia Code Sections:

(A): 2.2-3711(A)(29) for the discussion of the award of a public contract involving the expenditure of public funds for financial advisory services, and discussion of the terms or scope of such a contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board of Supervisors;

(B): 2.2-3711(A)(29) for discussion of the award of a public contract involving the expenditure of public funds for architectural services, and discussion of the terms or scope of such a contract, where discussion in an open session

would adversely affect the bargaining position or negotiating strategy of the Board of Supervisors;
 (C):2.2-3711(A)(8) for consultation with the County Attorney regarding the outcome of investigations into complaints involving the Madison County Animal Shelter; and
 (D): 2.2-3711(A)(1) for discussion on the performance of the County Administrator and County Attorney
Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).

Supervisor Foster moved that the Board re-convene in open session, seconded by Supervisor Hoffman. *Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).*

Supervisor Foster moved to certify that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code Sections 2.2-3711(A) (1), (3), (8) and (29), and only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting, seconded by Supervisor Weakley. *Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).*

No action was taken as a result of the closed session

8. Adjournment

With no further action being required, Supervisor Hoffman moved that the meeting be adjourned at 10:45 p.m., seconded by Supervisor Foster. *Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay:*

R. Clay Jackson, Chairman
 Madison County Board of Supervisors

Clerk of the Board of the Madison County Board of Supervisors
 Adopted on: November 11, 2019
 Copies: Board of Supervisors, County Attorney & Constitutional Officers



Agenda

Joint Meeting

Madison County Planning Commission &

Madison County Board of Supervisors

Wednesday, November 6, 2019 at 7:00 p.m.

County Administration Building Auditorium

414 N. Main Street, Madison, Virginia 22727

Following the Planning Commission

1. Call to Order, Determination of a Quorum, Pledge of Allegiance, Moment of Silence & Adoption of Agenda

2. Public Comment

3. Public Hearings:

A. Case No. S-11-19-16: Request by Deborah R. Young for a subdivision plat to create one (1) lot with residue. The existing (parent) parcel is roughly 71.96 acres and is zoned C1 (Conservation). The newly created parcel would be 15 acres. In the C1 zoning district the minimum lot area is 10 (ten) acres. The subject 71.96-acre parcel is located on Aylor Road (Rt. 651) and is identified on Madison County's Tax Maps as 30-26.

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4. Discussion: Planning Commission Appointments, Terms & Membership

5. Information/Correspondence

a. Opioid Lawsuit

b. School CIP Committee

6. Public Comment

7. Closed Session

8. Adjournment